

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/307,195 05/07/99 COHN

W BIH97-04A2

0232/0601

THOMAS O HOOVER ESQ
HAMILTON BROOK SMITH & REYNOLDS PC
TWO MILITIA DRIVE
LEXINGTON MA 02421-4799

NOT ASSIGNED

3732

DATE MAILED:

06/01/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 1500.

☒ 1. The statutory basic filing fee is:

☒ missing.

☐ insufficient.

Applicant must submit \$ 160 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 540 for 30 total claims over 20.

\$ 126 for 2 independent claims over 3.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date, is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.101(k) previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

**FEE TRANSMITTAL FOR
PATENT APPLICATIONS**

Attorney Docket Number

BIH97-04A2

Application Number

9/307,195

First Named Inventor

William Cohn

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	50 - 20* =	30	x \$ 18 =	\$ 540
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	5 - 3** =	2	x \$ 78 =	\$ 156
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 760
				Total of above Calculations =	\$ 1456
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
	TOTAL =				\$ 1456
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 130
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$ 1360
	Assignment Recordation Fee = (only when filed with application)				\$
	TOTAL =				\$ 2946

* Reissue claims in excess of 20 and over original patent
** Reissue independent claims over original patent

1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$2946.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

Signature

Thomas O. Hoover

Date

November 30, 1999

Submitted by
Typed or Printed Name

Thomas O. Hoover

Reg. Number

32,470

#3
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William Cohn

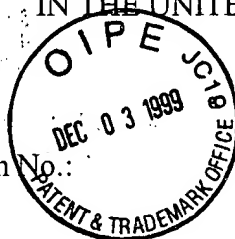
Application No.: 09/307,195

Group: 3732

Filed: May 7, 1999

Examiner: Not Assigned

For: Surgical Retractor



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>11-30-99</u>	<u>Jean A. White</u>
Date	Signature
Jean A. White	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated June 1, 1999, the following documents and fees are being submitted for filing in the captioned application:

[X] **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.

(Separate transmittal letter and postcard not required)

[X] **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.

(Separate transmittal letter and postcard not required)

[X] **SURCHARGE** - surcharge fee of \$130.00.

(Separate transmittal letter and postcard not required)

[] **SEQUENCE LISTING** - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

[X] **PETITION FOR EXTENSION OF TIME**

[X] Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated June 1, 1999 for four month(s) from August 1, 1999 to

12/06/1999 RTSEBAYE 00000024 09307195 1360.00 OP
05 FC:118

09/307,195

-2-

December 1, 1999. The appropriate fee of \$1,360.00 is included in the enclosed check.

- ☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee.
- ☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

- ☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

- ☐ **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

- ☐ Was filed on ☐.

- ☐ Is enclosed herewith.

(Separate transmittal letter and postcard not required)


- ☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$ 2946.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By


Thomas O. Hoover
Registration No.: 32,470
Tel.: (781) 861-6240
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date:

November 30, 1999